

-6-

REMARKS

Applicant's attorney thanks the Examiner for the telephonic interview of February 28, 2005 in which base Claim 1 and the cited reference to Stimson et al. were discussed. The foregoing claim amendments reflect the claim terms discussed in the Examiner interview. No new matter is introduced. Acceptance toward allowance is respectfully requested.

Claim Objections

Claims 1 and 8 have been objected to because of the negative term "free of" in Claims 1 and 8. That claim term has now been amended out of base Claims 1 and 8. Thus the foregoing claim amendments are believed to alleviate this objection. Acceptance is respectfully requested.

Claims 1-3 and 8-10 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Stimson et al. (U.S. Patent No. 5,577,109 in view of Gorog (U.S. Patent No. 4,947,028)). Applicant responds as follows.

The patent to Stimson et al. relates generally to prepaid card systems having a remote terminal to provide on-site activation and recharging of cards in customer defined amounts. See col. 1, lines 10-13. At the heart of Stimson et al. is the purchasing and use of the "prepaid" cards. Stimson et al. discloses "a database of authorized cards, the database including detailed information about the authorization, recharge and use status of each card in the system". See col. 2, lines 26-29. Stimson et al. does not teach an accounting system that captures and manages accounting data (e.g., time and expenses on respective projects, thus project accounting data) in a database by a voice interface which prompts the user to enter accounting data primarily by speaking into a phone as claimed in base Claims 1 and 8 as now amended. In particular, the Stimson et al. user does not speak accounting data terms as a primary means to maintain the database.

In addition, Stimson et al. does not read on the claim limitation of "prompting includes initiating a first call to the user" or on the claim limitation of "said individually targeted message having contents unrelated to account status of the telephone call" as now recited in base Claims 1 and 8. The messages of Stimson et al. do not have "...contents unrelated to account status of the telephone call" as claimed in base Claims 1 and 8 as now amended. The claim term "individually targeted message" was first introduced in Claims 16 and 18 newly added in the amendment of August 12, 2003. In that amendment (as well as in subsequent Office Actions of September 17, 2003 and February 13, 2004, reply of December 17, 2003 and Examiner interview of March 11,

-7-

sponsorship (unrelated to the account status of the telephone call), for example, as described on Specification page 3, lines 9-14 as originally filed. In the amendment and corresponding RCE filed on May 4, 2004, Claims 16 and 18 were cancelled in favor of base Claims 1 and 8 amended to recite the individually targeted message limitation. The last amendment dated August 19, 2004 on the bottom of page 11 proposed claim language to further clarify the meaning of the term "individually targeted message" as having contents unrelated to the telephone call. Thus the foregoing claim amendments in accordance with the February 28, 2005 Examiner interview are in furtherance of clarity that the term "individually targeted message" is meant to indicate messages that have content unrelated to the account status of the telephone call in contrast to Stimson et al. Support for such is found at least on Specification page 3, lines 9-14 as originally filed. No new matter is introduced. Acceptance is respectfully requested.

Thus, Stimson et al. does not imply or suggest or otherwise make obvious the present claimed invention prompting including initiating a first call to the user and individually targeted messages having contents unrelated to account status of the telephone call.

Gorog does not add to Stimson et al. the claim limitation of initiating a first call to the user or serving individually targeted messages to the user through a phone as now claimed in base Claims 1 and 8. Thus no combination of Stimson et al. and Gorog make obvious the present invention of base Claims 1 and 8 or Claims 2-3 and 9-10 dependent thereon respectively. Thus, the § 103 (a) rejection of Claims 1-3 and 8-10 is believed to be overcome and withdrawal of this rejection is respectfully requested.

Claims 4-6 and 11-13 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Stimson et al. in view of Gorog and further in view of Skinner et al.

As discussed above, the combination of Stimson et al. and Gorog lacks the "prompting... initiating a first call to the user" and the "individually targeted message having contents unrelated to account status of the telephone call" of the present invention as now claimed in base Claims 1 and 8. Skinner et al. does not add these two elements lacking in Stimson et al. and Gorog. Claims 4-6 depend from Claim 1 and Claims 11-13 depend from Claim 8 and thus inherit these claim limitations. As such, Skinner et al. does not supplement Stimson et al. and Gorog in such a way as to render Claims 4-6 and 11-13 obvious and unpatentable. Withdrawal of the § 103(a) rejection of these claims is respectfully requested.

Claim 7 and 14 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Stimson et al. in view of Gorog and further in view of Sprague et al. Claim 7 depends from Claim 1 and Claim 14 depends from Claim 8. As discussed above, the combination of Stimson

-8-

et al. and Gorog do not render base Claims 1 and 8 obvious. Sprague et al. does not add the "initiating a first call to the user" or the "individually targeted message having contents unrelated to account status of a telephone call" as now claimed in base Claims 1 and 8. As such, the combination of Stimson et al., Gorog and Sprague et al. do not render Claims 7 and 14 obvious and unpatentable. Withdrawal of the § 103(a) rejection of these claims is respectfully requested.

Claims 15 and 17 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Stimson et al. in view of Gorog and further in view of Gomyo et al.

As discussed above, the combination of Stimson et al. and Gorog does not render base Claims 1 and 8 obvious. Claim 15 depends from Claim 1 and Claim 17 depends from Claim 8. Gomyo does not add to the cited art the "prompting...initiating a first call to the user" or the "individually targeted message having contents unrelated to account status of the telephone call" as now recited in base Claims 1 and 8. As such the combination of Stimson et al., Gorog and Gomyo et al. does not make obvious nor render Claims 15 and 17 unpatentable. Withdrawal of the § 103 rejection of Claims 15 and 17 is respectfully requested.

Therefore, it is respectfully submitted that any combination of the above references does not render the present invention obvious as recited in any of the claims as now amended. All claims are now believed to be in condition for allowance.

CONCLUSION

In view of the above amendments and remarks, it is believed that all pending claims (Claims 1-15 and 17) are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Mary Lou Wakimura
Mary Lou Wakimura
Registration No. 31,804
Telephone: (978) 341-0036
Facsimile: (978) 341-0136

Concord, MA 01742-9133

Dated: 3/8/05